

**Wiltshire Council**

**Council**

**21 February 2017**

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**Notice of Motion No. 41 - Protecting Wiltshire's Rights of Way for People – From Councillors Steve Oldrieve and Jon Hubbard**

**Officer Briefing Note**

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The Motion before the council

The Motion calls for three actions, each of which is addressed in turn below.

- *£36,000 of the designated fund for maintaining rights of way is delegated down to Area Boards. The Area Boards allocate the funds, following the same principles as CATG funding.*

The revenue budget of £140,000 in 2016-17 can only be used for routine maintenance and is spent in full (subject to in year spending restrictions) on the purchase of materials, tools and equipment and the engagement of contractors to undertake work for which the council is responsible and which cannot be carried out by volunteers. Any transfer of part of this budget to the Area Boards would result in a reduction of routine maintenance carried out in accordance with the council's statutory duty as Highway Authority.

The capital budget of £30,000 is already used as match funding to attract additional financial and volunteer assistance to facilitate improvement works. Match funding already comes from Area Boards, as reported above, Town and Parish Councils and other community sources. Moving the budget across to the Area Boards would give each an average additional fund of £2,000 (dependent upon how the money was allocated).

The Area Boards hold delegated capital funding of £900,000 and they have been using this to support local footpath improvements, working with the Rights of Way and Countryside officers, over the last seven years. An example of best practice is the Southern Paths Group supported by the council's Southern Wiltshire Area Board, which in addition to having achieved some very significant path improvements has produced a volunteer toolkit which new groups wishing to establish themselves can make use of. This approach should be commended to other area boards.

Voluntary groups have access to capital grants from the Area Boards for footpath improvement works. Approvals have been given for the creation of a new footpath in the Amesbury area and path improvements and new kissing gates to replace stiles in many areas across Wiltshire.

So far in 2016/17 the council's Area Boards have allocated over £30k for footpath improvements across Wiltshire, supporting the delivery of 14 projects worth over £70,000 in total. They are uniquely placed to support local footpath and walking groups with funding devolved to them each year and with the technical and legal knowledge and the logistical support of the Rights of Way Officers and contractors.

- *That Area Boards work with voluntary rights of way groups, walking groups and Parish and Town Councils to identify the needs within their local community.*

As has been explained above, these arrangements are already in place and are being developed further through liaison between the Area Boards and the Rights of Way and Countryside service.

- *The administration enables the council's enforcement teams to fulfil their obligation to protect the rights-of-ways for Wiltshire's residents.*

The enforcement teams, working with the Rights of Way and Countryside service, already have the capacity and means to take a more robust approach to enforcement. The issue is one of taking a different approach to the way the council has dealt with rights of way enforcement in the past. A different relationship is required between the council and those landowners and occupiers who have previously been less inclined to fulfil their responsibilities. This change is already under way and the effects are becoming evident.

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